

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

TRUDY R. EARNEST,)
Plaintiff,)
vs.) No. 2:18-CV-00070-AGF
ANDREW SAUL,)
Acting Commissioner of Social Security,)
Defendant.)

MEMORANDUM AND ORDER

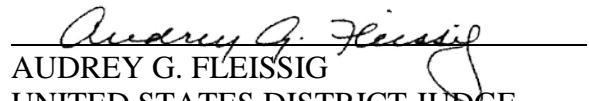
This matter is before the Court on Plaintiff's application for attorney's fees, under the Equal Access to Justice Act, 28 U.S.C. § 2412(d). ECF No. 27. Plaintiff is the prevailing party in this action challenging the decision of the Commissioner that Plaintiff is not disabled, as defined by the Social Security Act, and was thus not entitled to Supplemental Security Income. Plaintiff seeks \$4,760.00 in fees, to be paid to Plaintiff's counsel, pursuant to an assignment of fees executed by Plaintiff.

Defendant responds that he does not object to the award of fees in the amount sought, but notes that *Astrue v. Ratliff*, 560 U.S. 586 (2010), mandates that the fees are to be paid directly to Plaintiff. ECF No. 28.

The Court's review of the record indicates that the amount of fees sought is reasonable and properly supported. As Defendant asserts, *Astrue v. Ratliff*, 560 U.S. 586 (2010), requires that the fees be paid directly to Plaintiff, despite the assignment signed by Plaintiff. The Court is not in a position to provide otherwise.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's application for attorney's fees is
GRANTED in the amount of \$4,760.00, payable directly to Plaintiff. ECF No. 27.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 16th day of October, 2019.